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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/087,536	02/28/2002	Michael A. Libes	37063.00001	2259

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EXAMINER	
CHO, UN C	

ART UNIT	PAPER NUMBER
2682	3

DATE MAILED: 08/12/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/087,536	LIBES, MICHAEL A.	
	Examiner	Art Unit	
	Un C Cho	2682	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) 1-20 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) 1-7 and 9-20 is/are rejected.

7)☒ Claim(s) 8 is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 4, 7, 9, 12, 13, 14, 17 and 18 are rejected under 35 U.S.C. 102(b) as being anticipated by Ike (US 5,054,112).

Regarding claim 1, Ike teaches a wireless communication connection method providing two wireless-enabled devices (portable data entry device and information processing apparatus, Ike, Fig. 3, 1 and 4), wherein at least one device is a master device (information processing apparatus, Ike, Fig. 3, 4), each said wireless-enabled device including a wireless handshake plug (Electromagnetic induction communication coil, Ike, Fig. 3, 3 and 6), wherein each said plug is capable of receiving and sending data to the other plug, handshaking the two wireless-enabled devices by bringing each device's plug in physical proximity with the other (Ike, Col. 2, lines 58 – 61) and transmitting handshaking (signaling) data from the at least one master device plug (information processing apparatus electromagnetic induction communication coil) to the other device plug (portable data entry device electromagnetic induction communication coil) such that a wireless communication connection is established (Ike, Col. 3, line 66 through Col. 4, line 8).

Regarding claim 4, Ike teaches a wireless communication connection method between two wireless-enabled devices each having a primary communication method via a wireless network (Ike, Fig. 1, radio wave communication antenna 2 and Fig. 2, radio wave communication antenna 5) (Ike, Col. 2, lines 18 – 28), with at least one device being a master device (information processing apparatus, Ike, Fig. 3, 4) providing a secondary communication wireless handshake plug to each wireless-enabled device (Electromagnetic induction communication coil, Ike, Fig. 3, 3 and 6), wherein each said plug is capable of receiving and sending data to the other plug, handshaking the two handshake plugs by bringing each device's plug in physical proximity with the other (Ike, Col. 2, lines 58 – 61), and transmitting handshaking data from the master device plug to the other device's plug such that a secondary wireless communication connection (electromagnetic induction communication) is established apart from the wireless network (radio wave communication) (Ike, Col. 3, line 66 through Col. 4, line 8).

Regarding claim 7, Ike teaches that the electromagnetic induction communication coil of both devices are put in close proximity to each other to start the electromagnetic induction communication between the two devices (Ike, Col. 2, lines 58 – 61 and Col. 3, lines 2 – 8).

Regarding claim 9, Ike teaches that each plug (Electromagnetic induction communication coil, Ike, Fig. 3, 3 and 6) includes a magnet and magnetic field detector (Fig. 4, electromagnetic induction circuit 13A and 13B) that is capable of

decoding handshaking data and is closely positioned to the other plug during handshaking (Ike, Col. 2, lines 58 – 61), and wherein one wireless-enabled device detects the magnet of the other device and begins transmitting handshaking data (Ike, Col. 3, line 66 through Col. 4, line 8).

Regarding claim 12, the claim is interpreted and rejected for the same reason as set forth in claim 1.

Regarding claim 13, Ikea teaches a master wireless-enabled device capable of transmitting and receiving data (information processing apparatus, Ike, Col. 2, lines 23 – 28), a peripheral wireless-enabled device capable of receiving data (portable data entry device, Ike, Col. 2, lines 18 – 23), a wireless communication network (radio wave communication) and a pair of wireless handshake plugs (Electromagnetic induction communication coil), one plug corresponding to the master device (Ike, Fig. 3, 6) and the other plug corresponding to the peripheral device (Ike, Fig. 3, 3), said plugs being capable of transmitting and receiving data and are capable of being brought into physical proximity to each other (Ike, Col. 3, line 66 through Col. 4, line 8).

Regarding claim 14, Ike teaches two master wireless-enabled devices capable of transmitting and receiving data (the information processing apparatus and the portable data entry device having the same circuitry block, Ike, Col. 2, lines 38 – 39), a wireless communication network (radio wave communication, Ike, Fig. 4, 11A and 11B radio communication circuit) and a pair of wireless handshake plugs (Electromagnetic induction communication coil), one plug

corresponding to the master device (Ike, Fig. 3, 6) and the other plug corresponding to the peripheral device (Ike, Fig. 3, 3), said plugs being capable of transmitting and receiving data and are capable of being brought into physical proximity to each other (Ike, Col. 3, line 66 through Col. 4, line 8).

Regarding claim 17, Ike teaches that each plug is physically connected to its corresponding device (the electromagnetic induction communication coil is located within the device, Ike, Fig. 3, 6 and 3) (Ike, Col. 2, lines 18 – 28).

Regarding claim 18, the claim is interpreted and rejected for the same reason as set forth in claim 17.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 2, 15 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ike in view of Sodos et al. (US 5,280,623).

Regarding claim 2, Ike teaches that the plug (Electromagnetic induction communication coil) is capable of receiving and sending signal (Ike, Col. 4, lines 2 – 8). However, Ike fails to teach that the handshaking data is at least one bit. In contrast, Sodos teaches that the handshaking data is a one bit of data (Sodos, Col. 4, lines 6 – 9). Therefore, it would have been obvious to one of ordinary skill

in the art at the time the invention was made to provide the teaching of Sodos to Ike to provide an improved system bus that is capable of transition between addressed data transfers and handshake data transfers "on the fly" and performing burst within dynamic sizing during data transfers without prematurely terminating a data transfer sequence and performing both synchronous and asynchronous data transfers.

Regarding claim 15, the claim is interpreted and rejected for the same reason as set forth in claim 2.

Regarding claim 16, the claim is interpreted and rejected for the same reason as set forth in claim 2.

5. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ike in view of Fishman et al. (US 2003/0018887).

Regarding claim 3, Ike teaches the limitations of claim 1. However, Ike fails to teach that the transmitted handshaking data consists of a wireless network address. In contrast, Fishman teaches that transmitting handshaking data consists of personalization information of the user and/or the user's identity (Fishman, Page 2, Paragraph 0027, lines 1 – 11). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teaching Fishman to Ike to provide a server appliance technology that provides e-commerce support to short-range wireless networks and further

to develop a user device-side abstractions and interfaces aimed to provide a wireless device user with a satisfying and productive experience.

6. Claims 5 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ike in view of Rautila (US 6,714,797).

Regarding claim 5, Ike teaches establishing the secondary communication (Ike, Col. 3, line 66 through Col. 4, line 8). However, Ike fails to teach establishing the primary communication after the secondary communication is established. In contrast, Rautila teaches establishing primary communication (hotspot network using short range transceiver) after the secondary communication (internet access using mobile network) is established (Rautila, Col. 5, line 66 through Col. 6, line 7, lines 13 – 16 and 25 – 40). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teaching of Rautila to Ike to provide a method of ordering and downloading digital products into a mobile device.

Regarding claim 6, Ike as modified by Rautila teaches that the secondary method is terminated after the primary communication is established (Ike, Col. 3, lines 19 – 28).

7. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ike in view of Trost et al. (US 2002/0151275).

Regarding claim 10, Ike fails to teach that each plug includes a short-range, radio frequency, transceiver that is closely positioned to the other plug during handshaking and wherein the handshaking data is transmitted over one of the plug's short-range, radio-frequency transmitter. However, Trost teaches many electronic devices (PDA, Fax, Telephone, Printer, Computer, Keyboard, etc) have attachable Bluetooth wireless transceiver (Fig. 1, 105A, 105B, 105C, etc.) (Trost, Page 2, Paragraph 0041, lines 3 – 15) that is closely positioned (Bluetooth transceivers are used in limited coverage area, thus, must be positioned closely in order to function correctly) to the other wireless communication device during handshaking (transmission between master and slave) and wherein the handshaking data is transmitted over one of the Bluetooth wireless transceiver (Trost, Page 3, Paragraph 0055, lines 1 – 4 and Page 4, Paragraph 0060, lines 11 – 19). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teachings of Trost to Ike that by using Bluetooth technology, instead of communicating over cables, devices can communicate in a wireless fashion over an air interface using the 2.4 gigahertz ISM (Industrial Scientific and Medical) frequency band.

8. Claims 11, 19 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ike in view of Tsai (US 2003/0153268).

Regarding claim 11, Ike fails to teach that each plug further includes an optical transmitter and an optical receiver, such that each plug is closely positioned to the other plug during handshaking. However, Tsai teaches that each plug (mobile phone with integrated infrared transceiver, Tsai, Fig. 5, 200 and a processor unit Tsai, Fig. 5, 20) further includes an optical transceiver (Tsai, Page 1, Paragraph 0018, lines 3 – 7) such that each plug is closely positioned to the other plug during handshaking (Tsai, Page 2, Paragraph 0021, lines 1 – 9). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teachings of Tsai to Ike to provide an infrared transceiver for establishing an infrared transmission link with the mobile phone and is operable so as to wirelessly transmit the set of program instructions configured by the communications protocol controller to the mobile phone.

Regarding claim 19, Ike as modified by Tsai teaches that at least one plug (the processor unit and the keyboard being in separate locations) is physically remote from its corresponding device (Tsai, Page 2, Paragraph 0024, lines 1 – 15)

Regarding claim 20, the claim is interpreted and rejected for the same reason as set forth in claim 19.

Allowable Subject Matter

9. Claim 8 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

10. The following is a statement of reasons for the indication of allowable subject matter:

> Regarding claim 8, the references by Ike, Sodos, Trost, Tsai, Rautila and Fishman either alone or combination fails to teach that the physical proximity is established by a user making physical contact with each plug to create a communications link between the two wireless-enabled devices during handshaking.

Conclusion

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Hahn et al. US 6,230,029 discloses a wireless headset system for use with mobile phone and which incorporates a wireless headset which communicates with a base station via magnetic inductive coupling or radio frequency signals to dial and send or receive calls.

Brown et al. US 6,163,538 discloses a pair of compact, energy-efficient, intelligent, wireless transceiver units designed to replace the cable that interconnects a portable bar-code scanner, keyboard and display or other host to a portable bar-code printer or the like.

Van Zon US 5,426,667 discloses a system for the contactless exchange of data between one or more transmitter/receiver devices and a plurality of responders.

Strohallen et al. US 5,774,791 discloses a cordless headset, requiring very low power using Time Variant Modulation for reception of a magnetic signal and TVM of RF or infrared as the transmitter.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Un C Cho whose telephone number is (703)305-8725. The examiner can normally be reached on M ~ F 8:00AM to 4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vivian Chin can be reached on (703)308-6739. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

LEE NGUYEN
PRIMARY EXAMINER

Un C Cho UC 8/3/04
Examiner
Art Unit 2682